

# Agenda Report

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April 7, 2014 City Council Meeting

April 7, 2014  
Item No. 14

**ISSUE: Approving a resolution setting a public hearing date**

**BACKGROUND:**

At the April 7<sup>th</sup> meeting the City Council will need to adopt a resolution setting a public hearing date for April 21<sup>st</sup> to take public comment on the issuance of not to exceed \$325,000 in capital loan notes for the purchase and remodel of the property located at 1145 66<sup>th</sup> Street. The council will actually authorize the issuance of the debt at either the April 21<sup>st</sup> meeting or the first meeting in May.

**RECOMMENDATION:**

Staff recommends the council approve the resolution fixing the public hearing date for April 21<sup>st</sup> at 6:00pm at City Hall

**STAFF CONTACTS:**

Jeffrey A. Fiegenschuh, City Administrator

(This Notice to be posted)

NOTICE AND CALL OF PUBLIC MEETING

Governmental Body: The City Council of Windsor Heights, Iowa.

Date of Meeting: April 7, 2014

Time of Meeting: \_\_\_\_\_ o'clock \_\_.M.

Place of Meeting: Council Chambers, City Hall, 1133 - 66th Street,  
Windsor Heights, Iowa.

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for the meeting is as follows:

Not to Exceed \$325,000 General Obligation Capital Loan Notes, Series 2014.

- X Resolution fixing date for a meeting on the proposition to authorize a Loan Agreement and the issuance of Notes to evidence the obligations of the City thereunder.

Such additional matters as are set forth on the additional \_\_\_\_\_ page(s) attached hereto.  
(number)

This notice is given at the direction of the Mayor pursuant to Chapter 21, Code of Iowa, and the local rules of the governmental body.

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City Clerk, Windsor Heights, Iowa

April 7, 2014

The City Council of Windsor Heights, Iowa, met in \_\_\_\_\_  
session, in the Council Chambers, City Hall, 1133 - 66th Street, Windsor Heights, Iowa,  
at \_\_\_\_\_ o'clock \_\_.M., on the above date. There were present Mayor  
\_\_\_\_\_, in the chair, and the following named Council Members:

\_\_\_\_\_  
\_\_\_\_\_

Absent: \_\_\_\_\_

\* \* \* \* \*

Council Member \_\_\_\_\_ introduced the following Resolution entitled "RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$325,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2014, OF WINDSOR HEIGHTS, IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF", and moved that the same be adopted. Council Member \_\_\_\_\_ seconded the motion to adopt. The roll was called and the vote was,

AYES: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

Whereupon, the Mayor declared the resolution duly adopted as follows:

**RESOLUTION 14-0415**

RESOLUTION FIXING DATE FOR A MEETING ON THE AUTHORIZATION OF A LOAN AGREEMENT AND THE ISSUANCE OF NOT TO EXCEED \$325,000 GENERAL OBLIGATION CAPITAL LOAN NOTES. SERIES 2014, OF WINDSOR HEIGHTS, IOWA, AND PROVIDING FOR PUBLICATION OF NOTICE THEREOF

WHEREAS, it is deemed necessary and advisable that the City of Windsor Heights, Iowa, should provide for the authorization of a Loan Agreement and the issuance of General Obligation Capital Loan Notes to the amount of not to exceed \$325,000, as authorized by Sections 384.24, 384.24A and 384.25, Code of Iowa, as amended, for the purpose of providing funds to pay costs of carrying out an improvement to real property as hereinafter described; and

WHEREAS, the Loan Agreement and Notes shall be payable from the General Fund; and

WHEREAS, before a Loan Agreement may be authorized and General Obligation Capital Loan Notes, Series 2014, issued to evidence the obligation of the City thereunder, it is necessary to comply with the provisions of the City Code of Iowa, as amended, and

to publish a notice of the proposal and of the time and place of the meeting at which the Council proposes to take action for the authorization of the Loan Agreement and Notes and to receive oral and/or written objections from any resident or property owner of the City to such action;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDSOR HEIGHTS, IOWA:

Section 1. That this Council meet in the Council Chambers, City Hall, 1133 - 66th Street, Windsor Heights, Iowa, at 6:00 o'clock P.M., on the 21<sup>st</sup> day of April, 2014, for the purpose of taking action on the matter of the authorization of a Loan Agreement and the issuance of not to exceed \$325,000 General Obligation Capital Loan Notes, Series 2014, to evidence the obligations of the City thereunder, the proceeds of which will be used to pay costs of the acquisition of real property and the construction, reconstruction, enlargement, improvement and equipping of said real property to be used as an annex to City Hall, and for other municipal purposes.

Section 2. The Clerk is authorized and directed to proceed on behalf of the City with the negotiation of terms of a Loan Agreement and the issuance of General Obligation Capital Loan Notes, Series 2014, evidencing the City's obligations to a principal amount of not to exceed \$325,000, to select a date for the final approval thereof, to cause to be prepared such notice and sale information as may appear appropriate, to publish and distribute the same on behalf of the City and this Council and otherwise to take all action necessary to permit the completion of a loan on a basis favorable to the City and acceptable to the Council.

Section 3. That the Clerk is hereby directed to cause at least one publication to be made of a notice of the meeting, in a legal newspaper, printed wholly in the English language, published at least once weekly, and having general circulation in the City. The publication to be not less than four clear days nor more than twenty days before the date of the public meeting on the issuance of the Notes.

Section 4. The notice of the proposed action shall be in substantially the following form:

NOTICE OF MEETING OF THE CITY COUNCIL OF THE  
CITY OF WINDSOR HEIGHTS, IOWA, ON THE  
MATTER OF THE PROPOSED AUTHORIZATION OF A  
LOAN AGREEMENT AND THE ISSUANCE OF NOT TO  
EXCEED \$325,000 GENERAL OBLIGATION CAPITAL  
LOAN NOTES, SERIES 2014, AND THE PUBLIC  
HEARING ON THE AUTHORIZATION AND ISSUANCE  
THEREOF

PUBLIC NOTICE is hereby given that the Council of the City of Windsor Heights, Iowa, will hold a discussion meeting on the 21<sup>st</sup> day of April, 2014, at 6:00 o'clock P.M., in the Council Chambers, City Hall, 1133 - 66th Street, Windsor Heights, Iowa, at which meeting the Council proposes to take additional action for the authorization of a Loan Agreement and the issuance of not to exceed \$325,000 General Obligation Capital Loan Notes, Series 2014, in order to pay costs of acquisition of real property and the construction, reconstruction, enlargement, improvement and equipping of said real property to be used as an annex to City Hall, and for other municipal purposes. Principal and interest due from the general fund of the City on the proposed Loan Agreement and all other loan agreements in force on the date of authorization will not exceed ten (10) percent of the last certified general fund budget amount.

At the above meeting the Council shall receive oral or written objections from any resident or property owner of the City, to the above action. After all objections have been received and considered, the Council will at this meeting or at any adjournment thereof, take additional action for the authorization of a Loan Agreement and the issuance of Notes to evidence the obligation of the City thereunder or will abandon the proposal.

This Notice is given by order of the Council of Windsor Heights, Iowa, as provided by Sections 384.24, 384.24A and 384.25 of the City Code of Iowa, as amended.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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City Clerk of Windsor Heights, Iowa

(End of Notice)

PASSED AND APPROVED this 7th day of April, 2014.

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Mayor

ATTEST:

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City Clerk

CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTIES OF POLK )

I, the undersigned City Clerk of Windsor Heights, Iowa, do hereby certify that attached is a true and complete copy of the portion of the corporate records of the Municipality showing proceedings of the Council, and the same is a true and complete copy of the action taken by the Council with respect to the matter at the meeting held on the date indicated in the attachment, which proceedings remain in full force and effect, and have not been amended or rescinded in any way; that meeting and all action thereat was duly and publicly held in accordance with a notice of meeting and tentative agenda, a copy of which was timely served on each member of the Council and posted on a bulletin board or other prominent place easily accessible to the public and clearly designated for that purpose at the principal office of the Council (a copy of the face sheet of the agenda being attached hereto) pursuant to the local rules of the Council and the provisions of Chapter 21, Code of Iowa, upon reasonable advance notice to the public and media at least twenty-four hours prior to the commencement of the meeting as required by law and with members of the public present in attendance; I further certify that the individuals named therein were on the date thereof duly and lawfully possessed of their respective city offices as indicated therein, that no Council vacancy existed except as may be stated in the proceedings, and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the City or the right of the individuals named therein as officers to their respective positions.

WITNESS my hand and the seal of the Municipality hereto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
City Clerk, Windsor Heights, Iowa

SEAL

CERTIFICATE

STATE OF IOWA )  
 ) SS  
COUNTY OF POLK )

I, the undersigned, do hereby certify that I am now and was at the times hereinafter mentioned, the duly qualified and acting Clerk of the City of Windsor Heights, in the County of Polk, State of Iowa, and that as such Clerk and by full authority from the Council of the City, I have caused a

NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY OF WINDSOR HEIGHTS, STATE OF IOWA, ON THE MATTER OF THE PROPOSED ISSUANCE OF NOT TO EXCEED \$325,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2014, OF THE CITY OF WINDSOR HEIGHTS, AND THE HEARING ON THE ISSUANCE THEREOF

of which the clipping annexed to the publisher's affidavit hereto attached is in words and figures a correct and complete copy, to be published as required by law in the "Des Moines Register", a legal newspaper published at least once weekly, printed wholly in the English language, published regularly and mailed through the post office of current entry for more than two years and which has had for more than two years a bona fide paid circulation recognized by the postal laws of the United States, and has a general circulation in the City, and that the Notice was published in all of the issues thereof published and circulated on the following date:

\_\_\_\_\_, 2014

WITNESS my official signature at Windsor Heights, Iowa, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
City Clerk, City of Windsor Heights, State of Iowa